

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA

v.

DERON JOHN MANTEI

CRIMINAL NO.: 5:18-MJ-957-HJB

AGREED MOTION TO DISMISS

The parties ask the Court to dismiss the complaint in the above-styled cause as to Defendant Deron John Mantei. In support of this motion, the parties would show the Court the following:

On August 1, 2018, Defendant Deron John Mantei was charged by complaint with making a threatening communication, in violation of Title 18, United States Code, Section 875(c). In the following days, the Court granted Mr. Mantei's motion for a psychiatric examination to determine his competency to stand trial. In October 2018, a report from a forensic psychologist with the federal Bureau of Prisons indicated that Mr. Mantei was not competent to stand trial and recommended he be committed to a federal medical center so he could be restored to competency. The parties agreed with this recommendation.

In June 2019, the parties received notification from the United States Medical Center in Springfield, Missouri that Mr. Mantei had been restored to competency through treatment and medication. On June 28, 2019, the Court entered an order finding Mr. Mantei competent to stand trial.

After consultation with law enforcement and the alleged victim, the Government agreed to defer indictment in this case so Mr. Mantei could demonstrate an ability to maintain lawful behavior and continued proper use of his prescribed medication. To that end, the parties agreed that Mr. Mantei should be released to a residential reentry facility for a period of six months, after

which the parties would re-assess Mr. Mantei's case. The Court agreed and Mr. Mantei was transferred to the Crosspoint residential reentry facility in October 2019. On April 30, 2020, Mr. Mantei will have spent approximately six months at Crosspoint.

Recent communication with law enforcement and the alleged victim in this case confirms that Mr. Mantei has had no further improper contact with the alleged victim and appears to be in compliance with his medication regimen and the requirements of the facility in which he is housed. Given Mr. Mantei's apparent compliance with all conditions set by the Court and the facility in which he resides, the parties agree that the complaint against Mr. Mantei should be dismissed in the interest of justice on or about April 30, 2020.

Accordingly, the parties request that the complaint in the above-styled cause be dismissed without prejudice as to Mr. Mantei on or about April 30, 2020.

Respectfully submitted,

JOHN F. BASH
UNITED STATES ATTORNEY
By:

/s/ Matt Harding
MATT HARDING
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Agreed Motion to Dismiss has been delivered via email on April 22, 2020, and by ECF notification on this 24th day of April, 2020 to:

Marina Douenat,
Attorney for Defendant Deron John Mantei

/s/ Matt Harding
MATT HARDING
Assistant United States Attorney

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ORDER

On this day came on to be heard the Agreed Motion to Dismiss, and the Court having considered said motion now enters the following orders:

IT IS ORDERED that the motion is GRANTED;

IT IS FINALLY ORDERED that the complaint in the above-styled cause is DISMISSED WITHOUT PREJUDICE as to Defendant Deron John Mantei.

SIGNED, this _____ day of _____, 2020.

HENRY J. BEMPORAD
UNITED STATES MAGISTRATE JUDGE